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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/536,783

05/27/2005

Allan Carlsson

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10/26/2006

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EXAMINER

DONDERO, WILLIAM E

ART UNIT

PAPER NUMBER

3654

DATE MAILED: 10/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/536,783

Applicant(s)

CARLSSON, ALLAN

Examiner

William E. Dondero

Art Unit

3654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 13-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 13-31 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>05/27/05</u> | 6) <input type="checkbox"/> Other: ____  |

## DETAILED ACTION

### *Claim Objections*

Claim 26 is objected to because of the following informalities: the "a" should be capitalized in line 1. Appropriate correction is required.

### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 17, 21, 23, and 25-29 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites the limitation "said opening" in line 1. There is insufficient antecedent basis for this limitation in the claim.

Regarding claims 26-27, the phrase "preferably" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention.

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13-25 and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Schulz (US-1612988). Regarding Claim 13, Schulz discloses A reel for winding or

unwinding reelable, strip-shaped objects comprising a support surface 14 that extends in the main as a cylinder, a hub (shown but not numbered) arranged to rotate about an axis in order to allow rotation of the support surface about said axis, an adjusting device 15,16,40,42 arranged to cooperate with the support surface in order thereby to vary the diameter of the support surface, wherein the support surface is arranged at a flexible element 14 consisting essentially of a continuous circumferential piece and that the adjusting device is arranged to affect said support surface to alter its shape, whereby the diameter of the support surface is varied (Figure 1). Regarding Claim 14, Schulz further discloses the support surface all together constitutes at least 270° of the circumferential extension of said support surface (Figure 1). Regarding Claims 15 and 16, Schulz also discloses the support surface comprises an axial through opening (shown but not numbered) (Figure 1). Regarding Claims 17 and 18, Schulz discloses said opening has an extension along the circumference of said support surface that is proportional to a diameter variation ( $D1-D2$ ) of the reel, so that  $b=\pi(D1-D2)$ . Regarding Claims 19-21, Schulz further discloses the adjusting device comprises a force exerting device 42 that is arranged to affect the support surface with a force, the component force of which being a chord in an imaginary circle the surface of which coincides with said support surface (Figure 1). Regarding Claims 22-23, Schulz discloses the force exerting device cooperates with at least one engagement means 9,19 that are connected to said flexible element and where the engagement means are placed internally of said flexible element (Figure 1). Regarding Claims 24-25, Schulz

discloses the force exerting device cooperates with said engagement means by at least one pivotal attachment 31 (Figure 1).

With respect to Claim 31, the method described in this claim would inherently result from the use of the reel of Schulz as advanced above.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schulz (US-1612988). Schulz discloses a reel for strip-shaped objects as advanced above in regards to Claims 13-25 and 31. Schulz is silent about the strip shaped objects being steel strips. It is clearly evident that the reel of Schulz is capable of winding and unwinding any strip shaped object. It would have been obvious to one of ordinary skill in the art at the time of the invention to use Schulz's reel to wind and unwind any strip shaped object, including steel strips, to make the reel more versatile and use it in various manufacturing industries.

Claims 26-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schulz (US-1612988) as applied to claims 13-25 and 31 above, and further in view of Deline (US-1664738). Schulz is silent about at least one support ring composed of at least one elongated shank. However, Deline discloses a reel for winding and unwinding strip shaped objects in which the diameter of a support surface can be varied including

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at least one support ring 5 provided with an opening (shown but not numbered), which support ring is arranged internally of a support surface 2, where the support ring at least partially bears against an internal surface of a flexible element 2, whereby the support ring preferably is essentially parallel to a radial cross-section of the support surface.

Schulz further discloses the support ring is composed of at least one elongated shank 5 and that is comprises a hub, and preferably an engagement means 15 that are connected to each other and preferably are integrated (Figure 1). It would have been obvious to one of ordinary skill in the art at the time of the invention to add the support ring of Deline to the reel of Schulz to strengthen the reel as the strip shaped object is wound and unwound from the reel as taught by Schulz.

#### ***Allowable Subject Matter***

Claims 28-29 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

#### ***Conclusion***

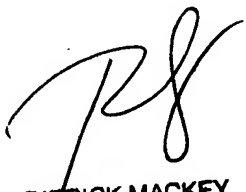
Any inquiry concerning this communication or earlier communications from the examiner should be directed to William E. Dondero whose telephone number is 571-272-5590. The examiner can normally be reached on Monday through Friday 7:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kathy Matecki can be reached on 571-272-6951. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wed



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